

REMARKS

Claims 1-38 are pending in the application.

Claims 29-38 are withdrawn from consideration.

Claims 1-28 are rejected.

Claims 1-28 have been canceled.

Claims 39-54 have been added.

New claims 39-54 are submitted to be patentable over the prior art of record. No new matter has been added by the amendments. Reconsideration and allowance of the present application is respectfully requested in view of the remarks.

New Claim 39

The elements of independent claim 39 find support in the original application. The element "a plurality of battery subassemblies that are operable to be connected to form a battery assembly, the plurality of battery subassemblies designed to be shipped such that an additional shipping fee that would be incurred due to a battery characteristic that is not the total weight of the battery assembly is not incurred" finds support, for instance, in the original application at Paragraph [0017]. The element "a first battery subassembly comprising a first subassembly to subassembly electrical connector, a first subassembly to subassembly mechanical connector, and a device power connector operable to supply power to a battery powered device" finds support, for instance, in the original application at Paragraphs [0021], [0022], and [0024]. The element "a second battery subassembly operable to be electrically and mechanically connected to the first battery subassembly, the second battery subassembly comprising a second subassembly to subassembly electrical connector for electrically connecting to the first subassembly to subassembly electrical connector of the first battery subassembly and a second subassembly to subassembly mechanical connector for mechanically connecting to the first subassembly to subassembly mechanical connector of the first battery subassembly" finds support, for instance, in the original application at Paragraphs

[0021], [0022], and [0024]. The prior art fails to teach or suggest the combination of these elements.

The references fail to teach or suggest the claimed combination as neither Kouzu, Rasmussen, Osaka, nor Townsley disclose a plurality of battery subassemblies designed to be shipped such that an additional shipping fee that would be incurred due to a battery characteristic that is not based on the total weight of a battery assembly is not incurred. The Rasmussen reference discloses a method of "optimizing weight based delivery fees." Rasmussen Paragraph [0011]. Thus, the Rasmussen reference discloses avoiding additional shipping fees based on weight and does not disclose avoiding additional shipping fees associated with a battery characteristic that is not based on the total weight of a battery assembly, such as a watt-hour rating of the battery assembly or a chemical mass in the battery assembly as is currently claimed. The Kouzu, Osaka and Townsley references teach nothing to overcome the deficiencies of the Rasmussen reference. For at least this reason, the USPTO's burden of factually supporting a prima facie case of obviousness clearly cannot be met with respect to claim 39. Accordingly, Applicants respectfully submit that claim 39 is allowable over the prior art of record.

New Claim 45

The elements of independent claim 45 find support in the original application. The element "a chassis" finds support, for instance, in the original application at Paragraph [0025]. The element "a battery bay defined by the chassis" finds support, for instance, in the original application at Paragraph [0025]. The element "a battery assembly located in the battery bay and operable to provide power to the battery powered device, the battery assembly comprising a plurality of battery subassemblies that are operable to be mechanically and electrically connected together to form the battery assembly, wherein the battery subassemblies are designed to be shipped such that an additional shipping fee that would be incurred due to a chemical mass in the battery assembly is not incurred" finds support, for instance, in the original application at Paragraph [0029]. The element "a first battery subassembly comprising a first subassembly to subassembly electrical connector, a first subassembly to subassembly mechanical connector, and a device power connector operable to supply power to the battery powered device" finds support, for instance, in the original application at Paragraphs [0021],

[0022], and [0024]. The element "a second battery subassembly electrically and mechanically connected to the first battery subassembly, the second battery subassembly comprising a second subassembly to subassembly electrical connector electrically connected to the first subassembly to subassembly electrical connector of the first battery subassembly and a second subassembly to subassembly mechanical connector mechanically connected to the first subassembly to subassembly mechanical connector of the first battery subassembly" finds support, for instance, in the original application at Paragraphs [0021], [0022], and [0024]. The prior art fails to teach or suggest the combination of these elements.

The references fail to teach or suggest the claimed combination as neither Kouzu, Rasmussen, Osaka, nor Townsley disclose a plurality of battery subassemblies designed to be shipped such that an additional shipping fee that would be incurred due to a chemical mass in the battery assembly is not incurred. The Rasmussen reference discloses a method of "optimizing weight based delivery fees." Rasmussen Paragraph [0011]. Thus, the Rasmussen reference discloses avoiding additional shipping fees based on weight and does not disclose avoiding additional shipping fees associated with a chemical mass in the battery assembly as is currently claimed. The Kouzu, Osaka and Townsley references teach nothing to overcome the deficiencies of the Rasmussen reference. For at least this reason, the USPTO's burden of factually supporting a prima facie case of obviousness clearly cannot be met with respect to claim 45. Accordingly, Applicants respectfully submit that claim 45 is allowable over the prior art of record.

New Claim 51

The elements of independent claim 51 find support in the original application. The element "a chassis" finds support, for instance, in the original application at Paragraph [0025]. The element "a battery bay defined by the chassis" finds support, for instance, in the original application at Paragraph [0025]. The element "a battery assembly located in the battery bay and operable to provide power to the battery powered device, the battery assembly comprising a plurality of battery subassemblies that are operable to be mechanically and electrically connected together to form the battery assembly, wherein the battery subassemblies are designed to be shipped such that an additional shipping fee that would be incurred due to a watt-hour rating of the battery assembly is not incurred" finds support, for instance, in the

original application at Paragraph [0029]. The element "a first battery subassembly comprising a first subassembly to subassembly electrical connector, a first subassembly to subassembly mechanical connector, and a device power connector operable to supply power to the battery powered device" finds support, for instance, in the original application at Paragraphs [0021], [0022], and [0024]. The element "a second battery subassembly electrically and mechanically connected to the first battery subassembly, the second battery subassembly comprising a second subassembly to subassembly electrical connector electrically connected to the first subassembly to subassembly electrical connector of the first battery subassembly and a second subassembly to subassembly mechanical connector mechanically connected to the first subassembly to subassembly mechanical connector of the first battery subassembly" finds support, for instance, in the original application at Paragraphs [0021], [0022], and [0024]. The prior art fails to teach or suggest the combination of these elements.

The references fail to teach or suggest the claimed combination as neither Kouzu, Rasmussen, Osaka, nor Townsley disclose a plurality of battery subassemblies designed to be shipped such that an additional shipping fee that would be incurred due to a watt-hour rating of the battery assembly is not incurred. The Rasmussen reference discloses a method of "optimizing weight based delivery fees." Rasmussen Paragraph [0011]. Thus, the Rasmussen reference discloses avoiding additional shipping fees based on weight and does not disclose avoiding additional shipping fees associated with a watt-hour rating of the battery assembly as is currently claimed. The Kouzu, Osaka and Townsley references teach nothing to overcome the deficiencies of the Rasmussen reference. For at least this reason, the USPTO's burden of factually supporting a prima facie case of obviousness clearly cannot be met with respect to claim 51. Accordingly, Applicants respectfully submit that claim 51 is allowable over the prior art of record.

New Claims 40-44, 46-50 and 52-54

It is believed that dependent claims 40-44, 46-50 and 52-54 present additional features described in the original application that are patentable over the prior art of record.

Conclusion

For the foregoing reasons, Applicants respectfully request allowance of claims 39-54 as presently constituted. The Examiner is invited to call the undersigned at the below-listed telephone number if a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,



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